



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay

Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 65

Commerce #: 53562-1002-00-A

BRRTS #: 02-13-550557

Site Name: Graber Highlands LLC (Former Speedway Sand & Gravel)

Site Address: Springton Dr & Parmenter St, Middleton, 53562

Site Manager: Ralph N. Smith

Address: P.O. Box 8044

City, State Zip: Madison, Wisconsin 53708-8044

Phone: (608) 261-6543

e-mail: ralph.smith@wisconsin.gov

Bid Manager: Ralph N. Smith

Address: P.O. Box 8044

City, State Zip: Madison, Wisconsin 53708-8044

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Bid-Start Date:	March 01, 2010
Questions must be received by (See Section 2 (B)):	March 15, 2010, 4:00 PM
Responses will be posted by (See Section 2 (B)):	April 02, 2010
Bid-End Date and Time:	April 16, 2010, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing
131 W. Wilson Street
Madison, WI 53703

Phone: (608) 257- 8900 Fax: (608) 257- 8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

This site is a former fleet vehicle refueling site located at the Former Speedway Sand and Gravel gravel quarry, which has not been in operation for over twenty years. It is not likely that newer releases of petroleum product to the soil or groundwater have occurred within the last ten years. A former 500-gallon aboveground storage tank (AST) was used for leaded gasoline to fuel fleet trucks and quarry equipment on the property from 1976 to 1986. The land parcel is now vacant.

The potential surface water receptor is Graber Pond on the east side of the site, and hydraulically down-gradient of the source area. Future land use is for a development; this remedial project area is anticipated to be in the green space area and designated to remain relatively undisturbed in the future as green space.

Soil borings have encountered sand and gravel fill across the site from 0-7 feet below ground surface (bgs) – at two feet depth on average. Silty clay (CL) varies from two to six feet bgs and silty sand (SM) varies from five to 13 feet bgs across the site. The average depth to water across the site is ~4.65 feet bgs (from May 2008 to September 2009). Groundwater flow direction varies seasonally from northeast to southeast. The ten-foot screens for monitoring wells MW-1 through MW-6 are from 3-13 feet below ground surface (bgs). Dolomite bedrock has not been encountered in the site investigation to date. Dolomite bedrock is estimated to be approximately 166 feet bgs based on a review of well logs in the area which are referenced in the site investigation report. The parcel is zoned as commercial property.

Minimum Remedial Requirements

1. The soil excavation is intended to provide source removal of soil petroleum contaminant mass to assist natural attenuation of the groundwater contaminant plume (see diagram for estimate purposes). Backfill materials shall be less permeable than the in-situ soils to avoid the “bathtub effect”. Clean overburden in the excavation footprint shall be maximized to the extent possible – staging of existing topsoil and relatively clean soil to be used as fill (including compaction) and to bring the land surface to grade is required. Please note the tonnage estimate provided for this bid project is conservative and is based on bankfull estimates and does not account for handling and storage of clean overburden, etc. Reimbursement for contaminated soil disposal costs will be based on the tonnage accepted at the solid waste management facility scale and generated ticket receipts. It is estimated that 532 cubic yards of soil or 851 tons (conversion factor of 1.6 tons/cubic yard) needs to be excavated, hauled, and disposed or treated. Backfill shall be provided in an equivalent amount, too. Excavation, soil confirmation samples are to be analyzed for PVOC + PAH + lead (Pb).

Monitoring well MW-2 is in the footprint of the proposed excavation – bid estimate is to include the replacement of monitoring well MW-2 to be designated “RMW-2” (provide 10 foot screened interval from 3 – 10 feet bgs) for a NR 141 compliant well in the remedial excavation footprint. Well development shall be done soon after installation (within one month to allow for potential settling). The first groundwater sample event in the replacement well RMW-2 shall be commensurate with other wells (at least six months after excavation). Initial groundwater sample event shall be for full VOCs (EPA method 8260 B). Contact the Commerce Project Manager at least two weeks prior to the remedial

excavation. Submit a remedial excavation report within forty five (45) days after completion of the excavation.

2. The first groundwater sample event shall be conducted at a minimum of six months after the remedial excavation. Sample groundwater quarterly from all wells for two years and sample for PVOCs + naphthalene and sample Pb annually. Six monitoring wells: MW-2, MW-3, MW-4, MW-5, MW-6, and proposed MW-7 will also be sampled semi-annually for EDB using EPA Method 504 for a period of one year in year one (twice in first year). Provide groundwater elevation data to United States geodetic standards for each sample event for all monitoring wells (include surveying costs).
3. Install a sentinel well MW-7 hydraulically downgradient of MW-5 (with at least 30 feet lateral separation). Initial groundwater sample event shall be for full VOCs (EPA method 8260 B), and thereafter for PVOC + naphthalene and sample and analyze for EDB using EPA Method 504 for two semi-annual groundwater sample events and sample for Pb annually. Surveying costs to U.S. geodetic standards shall be included.
4. The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required (it is dependent on the solid waste management facility manager's decision).
5. Costs approval is required *in advance* from Commerce for additional (or less) soil removal, hauling, backfill, compaction, etc. and incremental soil sampling & analytical costs – commodity costs only including mob/demo and per diem (no consultant costs shall be applicable) on a \$/ton unit rate basis.
6. Costs approval is required *in advance* from Commerce for use of a pumping truck to remove groundwater from the excavation in order to maximize the amount of contaminated soil removed from below the shallow water table, if necessary. This cost quote is for a one day (8 hour) lump sum amount only, and is to be utilized only if contaminated soil cannot be efficiently removed from below the water table because of the presence of water at the bottom of the excavation. It includes all costs for mob/demob, labor, equipment, and materials.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.

3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.

- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.

7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 65

(1st Page)

Department of Commerce PECFA Program

Site Name: Graber Highlands LLC (Former Speedway Sand & Gravel)

Commerce #: 53562-1002-00-A

BRRTS #: 02-13-550557

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE – BID ROUND 65**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Graber Highlands LLC (Former Speedway Sand & Gravel)**Commerce #: 53562-1002-00-A****BRRTS #: 02-13-550557****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Groundwater monitoring (sample collection, sample analysis, water elevation measurement, waste disposal, mob/demob) per event.	\$	
2	Number of Monitoring events		8
3	Monitoring Subtotal (Row 1 X Row 2)	\$	
4	Documentation (required reports – remedial excavation, online (Web) reports, correspondence, etc.)	\$	
5	Remedial Excavation – An excavation of 60' X 30' X 8' depth and 30' X 37.5' X 8' depth = ~867 cubic yards or 1,387T (see diagram). ~851T of contaminated soil needs to be hauled and disposed/treated and the same amount of backfill provided. Provide the total cost (consultant and commodity costs) based on weight in tonnage (includes hauling, backfill, storage, compaction, grading, confirmation sampling, diagram, mob/demob, etc.	\$	
6	Installation of one monitoring well (MW-7), includes well development, lithologic description, forms per NR 141, surveying costs, and all consultant & commodity service provider costs.	\$	
7	Collection and Analysis of TCLP Soil Samples for Landfill Disposal per the bid document.	\$	
8	Installation of one replacement monitoring well "RMW-2" includes abandonment of original well per NR 141.25, drilling, construction, & development, lithologic description, forms per NR 141, surveying costs, waste disposal, and all consultant & commodity service provider costs.	\$	
9	Provide commodity costs unit rate (\$/ton) only for soil excavation and disposal on a dollars per ton cost basis (includes hauling, backfill, compaction, & confirmation sampling) in case more (or less) budget for the work is necessary (exclude consulting costs).	\$/ton	
10	Lump sum costs for use of a pump truck for one 8-hour day per bid document.	\$	
11	PECFA Claim Preparation	\$	
Total Bid Amount (the sum of items 3 through 11) – also include this total bid amount on Page 1 of the bid response.		\$	